

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

<p>FIRST PIONEER FARM CREDIT, ACA</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>FIRST PIONEER CREDIT UNION,</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CIVIL ACTION NO. 04-12508 GAO</p>
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**PLAINTIFF'S PROPOSED SCHEDULE FOR THE DEFENDANT
TO CEASE USE OF THE "FIRST PIONEER" MARK**

In connection with its underlying trademark infringement claim, the Plaintiff, First Pioneer Farm Credit, ACA ("First Pioneer"), filed a motion for preliminary injunction seeking to prevent the Defendant First Pioneer Credit Union's (the "Credit Union's") continued use of the "First Pioneer" mark. Upon the Credit Union's request for additional time to respond to that motion, the parties agreed to exchange expedited discovery and combine the request for a preliminary injunction with the Plaintiff's request for a permanent injunction in one expedited hearing. Prior to that hearing, the Credit Union agreed to change its name and cease using the "First Pioneer" mark in order to avoid further litigation on Plaintiff's request for injunctive relief.

The Credit Union has represented that it has chosen a new name. The parties have attempted to reach agreement on a timetable for Defendant to cease its further use of the "First Pioneer" mark, but have been unable to reach agreement. Accordingly, the Plaintiff requests that the Credit Union be ordered to comply with the following schedule:

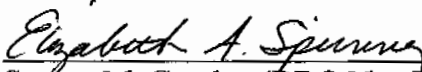
July 5, 2005	The Credit Union shall engage in no further use of the First Pioneer mark on any trade show displays or materials distributed at trade shows.
July 12, 2005	The Credit Union shall engage in no further advertising using the First Pioneer mark. This restriction applies to advertisements in print, radio, television and any other media. This restriction shall not include any newspaper, magazine or other print advertisement for which copy already has been sent to print as of the close of business on July 5, 2005.
August 5, 2005	<p>The Credit Union shall remove all use of the First Pioneer mark from the Credit Union's domain name and website.</p> <p>The First Pioneer mark shall be removed from all external and internal signage of the Credit Union.</p>
August 31, 2005	The Credit Union shall discontinue the use of the First Pioneer mark on all letterhead, legal forms, brochures, and other printed material and promotional items. All such Credit Union materials bearing the First Pioneer mark shall be destroyed.
November 15, 2005	The Credit Union shall discontinue the use of the First Pioneer mark on all credit cards and debit cards.

Dated: July 5, 2005

Respectfully submitted,

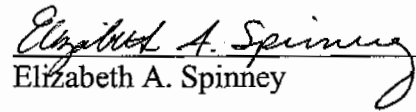
FIRST PIONEER FARM CREDIT, ACA,

By its attorneys,


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the above document was served upon all counsel of record by hand this 5th day of July 2005.


Elizabeth A. Spinney